

Wilfred P. Coronato (WC-6200)
Bart A. Whitley (BW-3010)
HUGHES HUBBARD & REED LLP
A NEW YORK LIMITED LIABILITY PARTNERSHIP
101 HUDSON STREET, SUITE 3601
JERSEY CITY, NEW JERSEY 07302-3910
Telephone: (201) 536-9220
Attorneys for Defendant Merck & Co., Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

LINDA METCALF, and)
ROSS METCALF, W/H,) Case No.: 07-cv-03119-MLC-TJB
)
Plaintiffs,) **NOTICE OF MOTION TO STAY**
) **PROCEEDINGS PENDING**
) **TRANSFER TO MDL NO. 1789**
v.)
MERCK & CO., INC.,) Motion date: August 6, 2007
)
Defendant.)

TO: David Jacoby, Esq.
Tracy A. Finken, Esq.
1040 Kings Highway North, Suite 304
Cherry Hill, New Jersey 08304

PLEASE TAKE NOTICE that on August 6, 2007 at 9:00 a.m. or as soon thereafter as
counsel may be heard, the undersigned will move before the Honorable Mary L. Cooper,
U.S.D.J. at the United States District Court, District of New Jersey, Clarkson S. Fisher Building
& U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, for an Order staying
proceedings in this case pending transfer to MDL No. 1789, and for such other and further relief
as the Court shall deem just and proper.

PLEASE TAKE FURTHER NOTICE that defendant shall rely upon the Brief and certification submitted herewith, as well as other pleadings on file in this matter.

Dated: July 13, 2007

HUGHES HUBBARD & REED LLP
A New York Limited Liability Partnership
Attorneys for Defendant
Merck & Co., Inc.

By: s/ Bart A. Whitley
Wilfred P. Coronato
Bart A. Whitley